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Memo: to the Portuguese Government
From: TAPOL, the Indonesia Human Rights Campaign

Indonesia's "dual strategy" regarding East Timor

In the early years of Indonesia's independence struggle, a two-pronged strategy developed. The two lines: *diplomacy or struggle,* came into conflict in 1948 and to this day remain a matter of great conflict and controversy.

The *diplomacy line* was pursued by civilian leaders like Sukarno, Hatta, Syahrir and Amir Syarifuddin. In the conflict against the return of Dutch colonialism the civilian politicians pursued the line of negotiations (with the Dutch) and lobbying the international community. Indonesian independence was recognised internationally after the Round Table Conference in December 1949 and was seen as victory for the line of *diplomacy.*

The *struggle line* was pursued by the military under General Sudirman, Suharto (who takes Sudirman as his mentor) and others. All negotiation with the enemy was seen as a humiliation and a slap in the face. In particular when the Dutch troops entered Yogyakarta (seat of the Indonesian Republic at that time) in early 1948 and arrested all the main civilian leaders (Sukarno, Hatta etc), the military saw this as the ultimate act of humiliation. In fact the arrest of the Indonesian leaders created an important political momentum and accelerated international support for gaining Indonesian independence.

The two lines can be applied in the East Timor issue almost exactly along the same lines. Indonesian civilians, with people like Ali Alatas in the fore, function on the basic assumption that the East Timor issue is "unfinished business" and there is still a need for negotiations (*"diplomacy"*). The military take the position of *"struggle"* and regard the East Timor issue as "finished business". Their determination is to present tomorrow's talks with a 'fait accompli' of an entire nation "surrendering", obviating the need for further negotiations.

The talks on 17 December in New York are seen by the Indonesian military as a sign of weakness and they have been trying to use all means to obstruct and hamper these talks. It is no coincidence that the whole wave of terror (and the arrest of Xanana Gusmao) happened in the period just prior to the talks.

We suggest that the Portuguese side could try to use the possible conflict between the 'diplomacy' and 'struggle' wings by stressing that any assurances given by Alatas cannot be taken at face value because the army is in control on the ground in East Timor

The treatment of political enemies

Since the birth of the Indonesian Republic, many rebellions and insurrections have been taking place. It has become the tradition and almost second nature for an Indonesian officer to regard any regional activity as a potential threat. Secessionist movements in West Java, Sulawesi, Moluccas and Aceh have been crushed mercilessly and their leaders executed. The liberation struggle of the East Timorese is seen by the Indonesian army in the same light. There is no other option but to crush it and *"diplomacy"* is not part of their vocabulary.

There is one difference though. While other "rebels" like Soumokil, Kartosuwiryo and Kahar Muzakkar were sentenced to death, we've seen another tactic used towards arrested East Timorese leaders. For obvious propaganda reasons (domestic and international) important East Timorese leaders are kept alive, preferably as docile and obedient people. We can go back to Xavier do Amaral, the first president of Fretilin, who became the gardener and stable-hand of General Dading Kalbuadi. Others like Alarico Fernandes and Mau Hodu, after long periods of brainwashing, disappeared from the scene but have also been kept alive.

Xanana Gusmao is again a little bit different. As we've seen, the Indonesian military are using him in a very active way. Interviews to the outside world to give the impression that the resistance is over, etc. We cannot take the Xanana interviews at face value. After this the Indonesian military will try to break Xanana Gusmao mentally like they did with the others.

The army have held earlier captured leaders without bothering to put them on trial. With regard to Xanana, Suharto's very first remark was that he must be treated "according to the law" which means that he will have to be tried. But the trial immediately poses problems for the army and has led to a lot of confusion. According to precedents in treating past rebel leaders, a person like Xanana Gusmao should be charged with subversion and almost certainly sentenced to death. But it now appears that he will be charged only under Criminal Code for organising the 12 November demonstration and for illegal possession of firearms. This is quite illogical bearing in mind that Gregorio Saldanha was charged for subversion because of his involvement with the demonstration of 12 November. The intention to proceed with an indictment against Xanana only on criminal charges means that the military aim to diminish his role, sidestepping his leadership of the armed struggle.

Proposal for tomorrow's talks

May we suggest the following ideas for the talks in New York tomorrow:

1. Talks cannot proceed any further until the forces of occupation in East Timor end the present reign of terror in the country. The mass arrests, torture and intimidation must end and all political prisoners must be released. The present intolerable situation in East Timor makes it pointless to have talks in New York about solving the question of East Timor.

2. Claims by the military in East Timor that hundreds, even thousands, of East Timorese are "surrendering" is an attempt to create the impression that all resistance to the Indonesian occupation has collapsed. The international community must be given the opportunity to investigate the situation thoroughly and without delay.

3. The UN should send a mission to East Timor, to oversee implementation of point (1). The brief of the mission should include meetings with leaders of the East Timorese community, in particular Bishop Belo and priests from all the parishes. [This would open the possibility of developing the principle of holding consultations with representatives of the people of East Timor, although in the present circumstances the task of the mission should focus primarily on restoring calm and ending the abuses.]

4. The mission should include senior members of the UN Secretariat, including Assistant SG De Soto, officials from the UN Human Rights Centre, notably Luis Joinet of the Working Group on Arbitrary Detentions and Special Rapporteur on Torture, Amos Wako. A senior political figure should be proposed to head the mission (along the lines of the appointment of the former Polish PM who headed the UN investigation mission to Bosnia). Perhaps you could propose Professor Pieter Kooijmans, now the Dutch Foreign Minister, to head the mission.

5. The captured resistance leader, Xanana Gusmao, must be released without delay and allowed to play his part as a completely free man in seeking a peaceful solution to the question of East Timor. It should be left to him to decide whether he should be consulted in East Timor or in New York.

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